

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ABBOTT GMBH & CO., KG,)	
ABBOTT BIORESEARCH CENTER, INC.,)	
AND ABBOTT BIOTECHNOLOGY LTD.,)	C.A. No. 4:09-CV-11340 (FDS)
)	
Plaintiffs,)	
)	JURY TRIAL DEMANDED
v.)	
)	
CENTOCOR ORTHO BIOTECH, INC. AND)	
CENTOCOR BIOLOGICS, LLC.,)	
)	
Defendant.)	

**SECOND DECLARATION OF MATTHEW A. PEARSON IN SUPPORT OF
DEFENDANTS' SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF**

I, Matthew A. Pearson, declare and state as follows:

1. I am an attorney at the law firm Akin Gump Strauss Hauer and Feld LLP, counsel for Centocor Ortho Biotech, Inc. and Centocor Biologics, LLC, and as such I am familiar with the facts stated herein.

2. Attached hereto as Exhibit 4 is a true and correct copy of the November 9, 2010 Markman Hearing transcript.

3. Attached hereto as Exhibit 5 is a true and correct copy of an email from Violetta Watson to Matthew Pearson dated November 15, 2010.

4. Attached hereto as Exhibit 6 is a true and correct copy of an excerpt from U.S. application 10/884,830 bearing bates numbers ABT-IL12-03614757-775.

5. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt from U.S. Patent Interference No. 105,592 bearing bates numbers ABT-IL12-00298720-727.

6. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the Code of Federal Regulations, 37 CFR 41.201.

I declare under penalty of perjury that the foregoing is true and correct.

Date: November 19, 2010

A handwritten signature in black ink, appearing to read 'Matthew A. Pearson', written over a horizontal line.

Matthew A. Pearson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Second Declaration of Matthew A. Pearson in Support of Defendants' Supplemental Claim Construction Brief along with exhibits cited therein was electronically mailed to the following counsel of record on November 19, 2010 through the Court's ECF notification system.

A handwritten signature in black ink, appearing to read 'Matt Pearson', is written above a horizontal line.

Matthew A. Pearson

